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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/509,357	05/16/2005	Kazuyuki Takahashi	SONY JP 3.3-358	5074
530 7590 04/23/2009 LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK 600 SOUTH AVENUE WEST WESTFIELD, NJ 07090				
EXAMINER PEZZLO, JOHN				
ART UNIT		PAPER NUMBER		
2419				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/509,357

**Applicant(s)**

TAKAHASHI ET AL.

**Examiner**

John Pezzlo

**Art Unit**

2419

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 March 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/ICE)  
Paper No(s)/Mail Date 12/24/08.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

I. Claims 1-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Shusuke et al. (JP 11289503 (A) hereinafter Shusuke).

1. Regarding claims 1 – Shusuke discloses means for extracting a packet necessary for monitoring from each of a plurality of transport streams that correspond to a plurality of concurrent programs, and for reconstructing the extracted packets to one transport stream, means for descrambling plural packets from the reconstructed one transport stream using a conditional access module and for separating the necessary packets necessary for monitoring, and means for decoding each packet separated from the reconstructed one transport stream so that more than one of the plurality of concurrent programs is reproduced, wherein the conditional access module has information needed to descramble the packets from the plurality of transport streams that are in the reconstructed one transport stream, refer to drawings 1, 2, 3, and 7 and paragraphs [0017] to [0028]. Shusuke discloses a tuner for decoding multiple data streams which are transported on

the same channel, multiplex onto the same physical channel, refer to paragraph [0017], [0021], and [0022]. Shusuke discloses that control information is encoded into the data streams, which enables the tuner to extract and demultiplex the plural channels, refer to drawings 2 and 3 and paragraphs [0018] and [0019]. Shusuke discloses a descrambler refer to drawings 1, 7, and 12 and paragraph [0035] and [0007] and [0008] which obtains the information to descramble the transport streams (keys) from system controller callout 7 in Figure 12.

2. Regarding claims 2 and 8 – Shusuke discloses wherein packet information of SI (Service Information) is extracted from each of said plurality of transport streams, a new SI packet is reconstructed from the information of the packet of the SI obtained from each of said plurality of transport streams, and said reconstructed new SI packet is added to said reconstructed one transport stream, refer to drawings 2 and 3 and paragraphs [0018] and [0019] and [0030] to [0033]. Shusuke discloses packet control information (SI data) is encoded into the multiplex signal and is used by the tuner to demultiplex the transport signals for presentation, refer to drawing 7 and paragraphs [0036] to [0040].

3. Regarding claims 3 and 9 - Shusuke discloses packet information of SI (Service Information) is extracted from each of said plurality of transport streams, the information of the packet of the SI obtained from each of said plurality of transport streams is sent to processing means, and a process for limited reception is executed, refer to drawings 2 and 3 and paragraphs [0018] and [0019] and [0030] to [0033]. Shusuke discloses packet control information (SI data)

is encoded into the multiplex signal and is used by the tuner to demultiplex the transport signals for presentation, refer to drawing 7 and paragraphs [0036] to [0042].

4. Regarding claims 4, 6, 7, and 10 – Shusuke discloses means for extracting information of a packet of SI (Service Information) from each of a plurality of transport streams that correspond to a plurality of concurrent programs, and for descrambling plural packets using the information of the packet of the SI obtained from each of said plurality of transport streams and a conditional access module, means for the common descrambling with respect to each of said plurality of transport streams and for separating the necessary packets necessary for monitoring, and means for decoding each packet separated from each of said transport streams so that more than one of the plurality of concurrent programs is reproduced, wherein the conditional access module has information needed to descramble the packets from the plurality of transport streams, refer to drawings 1, 2, 3, and 7 and paragraphs [0017] to [0028]. Shusuke discloses a tuner for decoding multiple data streams which are transported on the same channel, multiplex onto the same physical channel, refer to paragraph [0017], [0021], and [0022]. Shusuke discloses that control information is encoded into the data streams, which enables the tuner to extract and demultiplex the plural channels, refer to drawings 2 and 3 and paragraphs [0018] and [0019]. Shusuke discloses a descrambler refer to drawings 1, 7, and 12 and paragraph [0035] and [0007] and [0008] which obtains the information to descramble the transport streams (keys) from system controller callout 7 in Figure 12. Shusuke discloses in drawing 1 two decoding modules 20 and 27 for decoding and presenting two concurrent programs from one multiplexed data stream, refer to paragraph [0046].

5. Regarding claims 5 and 11 – Shusuke discloses said means for separating the packets necessary for monitoring is time-divisionally used with respect to said plurality of transport streams, refer to drawings 2-6 and paragraphs [0028], [0045], [0058], and [0059]. Shusuke discloses time multiplexing the two channels and providing control information as part of the time multiplexing to enable the receiver to decode multiple channels concurrently, refer to drawing 1 and paragraph [0046].

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Pezzlo whose telephone number is (571) 272-3090. The examiner can normally be reached on Monday to Friday from 8:30 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Patel, can be reached on (571) 272-2988. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C.

or faxed to:

Art Unit: 2419

(571) 273-8300

For informal or draft communications, please label "PROPOSED" or "DRAFT"

Hand delivered responses should be brought to:

Jefferson Building

2A15

500 Dulany Street

Alexandria, VA, 22313.

John Pezzlo

22 April 2009

/John Pezzlo/

Primary Examiner, Art Unit 2419